



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
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#12

In re Reissue Application of

DAVIS et al.

Serial No.: 09/315,796

Filing Date: May 20, 1999

For: COMBINED

LITHOGRAPHIC/FLEXOGRAPHIC

PRINTING APPARATUS AND

PROCESS

DECISION ON

REQUEST

UNDER 37 CFR 1.136(b)

This is a response to the communication, filed March 9, 2000, via facsimile transmission, which is being treated as a request for a one (1) month extension of time under 37 CFR 1.136(b) to reply to the Office action dated February 8, 2000.

The request for a one (1) month extension of time is GRANTED.

Requestor states that in July 1999, a stay of litigation was issued by the District Court for the Northern District of Texas (Civil Action No. 3:99-CV-1154-D), but this court "reversed its position sometime later in the early fall." A copy of the Order, dated September 1, 1999, lifting the stay of litigation imposed on July 6, 1999, was provided. Requestor argues that action in the Reissue application should have been suspended in accordance with Section 1442.02 of the Manual of Patent Examining Procedure (MPEP). Requestor now requests that action not be suspended since it is applicant's desire that the application be examined at this time, pursuant to MPEP 1442.02(D).

The record indicates that a copy of the Order staying litigation, issued July 1999, was submitted. However, a copy of the Order lifting the Order staying litigation was not received by the Office until the filing of the present request. The record also indicates that requestor belatedly received the Office action of February 8, 2000.

In view of the above discussion, the Office will accord requestor a one (1) month extension of time under 37 CFR 1.136(b) to respond to the Office action of February 8, 2000. Accordingly, the time period for reply expires April 9, 2000. No further extensions of time are expected to be granted.

The application will be held in Technology Center 2800 pending a complete and timely response.



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